

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE UNDER RULE 116  
EXPEDITED HANDLING PROCEDURES

In re Patent Application of

HERMON-TAYLOR et al

Serial No. 09/705,911

Filed: November 6, 2000

Title: NOVEL POLYNUCLEOTIDES AND POLYPEPTIDES IN PATHOGENIC MYCOBACTERIA AND THEIR USE AS DIAGNOSTICS, VACCINES AND TARGETS FOR CHEMOTHERAPY



Atty Dkt. 117-323

C# M#

Group Art Unit: 1645

Examiner: ZEMAN, R.

Date: January 21, 2004

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**AMENDMENT UNDER RULE 116**

This is an Amendment responsive to the Office Action dated October 21, 2003 in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.**Fees are attached as calculated below:**

Total effective claims after amendment	0	minus highest number			
previously paid for	20	(at least 20) =	0	x	\$ 18.00

Independent claims after amendment	0	minus highest number			
previously paid for	3	(at least 3) =	0	x	\$ 86.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00)	<span style="float: right;">\$ 0.00</span>
<input type="checkbox"/> Please enter the previously unentered , filed	<span style="float: right;">\$ 0.00</span>
<input type="checkbox"/> Submission attached	<span style="float: right;">\$ 0.00</span>

<b>Subtotal</b>	<b>\$ 0.00</b>
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If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

Applicant claims "small entity" status.  Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

<b>TOTAL FEE ENCLOSED</b>	<b>\$ 0.00</b>
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The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 